



CITY OF HUNTINGTON BEACH REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: 12/7/2015

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Fred A. Wilson, City Manager

PREPARED BY: Ken Domer, Assistant City Manager

SUBJECT: Approve and authorize execution of an Agreement for Acquisition and Escrow Instructions between the City of Huntington Beach and the Huntington Beach City School District regarding 6.61 acres of the former LeBard Elementary School for recreational purposes

Statement of Issue:

Per a Memorandum of Understanding entered into on May 5, 2014, between the City and the Huntington Beach City School District (District), the City and District have finalized an Agreement for Acquisition and Escrow Instructions (Agreement) in order for the City to purchase 6.61 acres of District property formerly used for LeBard Elementary School. The purchased acres will remain recreational in nature; hosting fields utilized by Seaview Little League, and will be added to the adjacent LeBard Park.

Financial Impact:

The purchase price is \$3,168,000 to be payable in five annual payments of \$633,600. The annual payments will be split equally between the non-departmental business unit of the General Fund (10040101.88030) and Park Development Impact – Non Residential Fund business unit (23545001.81100) which is used for park acquisitions.

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute the "Agreement for Acquisition and Escrow Instructions" to purchase 6.61 acres from the Huntington Beach City School District (former LeBard Elementary School site) for recreational purposes.

Alternative Action(s):

Do not approve the Agreement for Acquisition and Escrow Instructions and provide direction to Staff.

Analysis:

LeBard Elementary School was built in the 1960's for utilization by the Huntington Beach City School District. Due to declining enrollment, the District closed the school in 1980 and began to use the facility as their District headquarters. The District permits Seaview Little League (SLL) to utilize a portion of the school grounds for baseball fields on a temporary, year-to-year basis, at a minimal cost. Currently, the SLL maintains six baseball fields on the District property.

The City owns and maintains the adjacent LeBard Park, which is approximately three-acres in size. The park has 38 parking spaces, two tennis courts, meeting room/concession building, tot lot and general open space. Between the City park and the Santa Ana River is an accessible Southern

California Edison (SCE) easement area of approximately two-acres. This easement area contains two electrical towers and is generally vacant space. However, there are plans for "phase II" improvements to LeBard Park which show it being improved with an open turf area, walking paths, and general landscaping improvements.

On March 10, 2008, the City received notice from the District that LeBard School was declared surplus property. On April 7, 2008, the City Council approved Resolution 2008-22, which resolved that public land in the vicinity of the school site was inadequate to meet existing and future needs of the community for recreational purposes, and authorized the City Manager to begin negotiations with the District for purchase of the site. General discussions between the District and City regarding the LeBard School have taken place for several years and only most recently have the two parties, along with major input from the adjacent community and facility users, come to an understanding of the site's future. This understanding includes utilizing the existing footprint of the school buildings and blacktop area for the development of fifteen (15) single family residential homes on lots comparable to the adjacent neighborhoods, and within the development standards of the low-density residential (RL) zoning designation. The intent was to create a residential development that fits within the current residential neighborhoods to include public streets and sidewalks separated from the street by landscaped parkways.

As part of the overall process, the development of a Memorandum of Understanding (MOU) between the District and City was agreed to in order to provide a framework for the terms and conditions of an eventual agreement for the acreage to be purchased by the City. The Memorandum of Understanding was approved by the City Council on May 5, 2014, and the deal terms of that MOU have been incorporated into the proposed Agreement.

Since the approval of the MOU on May 5, 2014, the District submitted entitlement plans through the City's Planning & Building Department which included a Planning Commission Study Session on May 26, 2015; Planning Commission approval on June 9, 2015; City Council Public Hearing on July 6, 2015; and City Council approval of all entitlements (General Plan Amendment, Zoning Map Amendment, Tentative Tract Map, and Environmental Impact Report) on July 20, 2015.

At this time, the City and District have finalized an Agreement and that Agreement is ready for consideration by each governing board. The District is prepared to consider the item at their meeting on December 8, 2015.

Environmental Status:

Not applicable for acquisition. Mitigated Negative Declaration was 12-008 was approved by the City Council on July 20, 2015, for applicable entitlements.

Strategic Plan Goal:

Improve quality of life

Attachment(s):

1. Agreement for Acquisition and Escrow Instructions
2. July 6, 2015, City Council entitlement package approval Request for Council Action